



Patent Application Transmittal

(only for new nonprovisional applications under 37 C.F.R. 1.53(b))

Correspondence Address:

FROMMER LAWRENCE & HAUG LLP

745 FIFTH AVENUE

NEW YORK, NEW YORK 10151

TEL: (212) 588-0800

FAX: (212) 588-0500

Date: December 20, 2000

Attorney Docket No.: 674528-2001.2

ASSISTANT COMMISSIONER FOR PATENTS

Box Patent Application

Washington, D.C. 20231

Sir:

With reference to the filing in the United States Patent and Trademark Office of an application for patent in the name(s) of:

Ilham S. ABULJADAYEL

entitled:

METHOD OF PREPARING AN UNDIFFERENTIATED CELL

X Continuing Application

 Continuation X Divisional Continuation-in-Part (CIP)

of prior application serial no. 09/521,700, filed March 9, 2000, which in turn is a Divisional of application serial no. 08/594,164, filed January 31, 1996.

[Note: If priority under 35 U.S.C. 120 involves a series of respectively copending applications, then in this amendment identify each and its relationship to its immediate predecessor.]

X The prior application is assigned of record to GHAZI JASWINDER DHOOT

This is an application of a small entity under 37 CFR 1.9(f) and the amounts shown in parentheses below have been employed in calculating the fee:

 Small Entity Verified Statement(s) is (are) enclosed.

X Small Entity Verified Statement(s) filed in prior application, status still proper and desired

The following are enclosed:

X Original specification and Power of Attorney

 New Declaration filed during prosecution

drawings)
X 21 Claim(s) (including 2 independent claim(s)); See Preliminary Amendment below.

— This application contains a multiple dependent claim (see Preliminary Amendment herewith)

X Our check for \$ 355.00, calculated on the basis of the claims as amended by any enclosed preliminary amendment as follows:

Basic Fee, \$690.00 (\$345.00):	\$345.00
Number of Claims in excess of 20 at \$18.00 (\$9.00) each:	\$9.00
Number of Independent Claims in excess of 3 at \$78.00 (\$39.00) each:	\$00.00
Multiple Dependent Claim Fee at \$260.00 (\$130.00):	\$354.00
Total Filing Fee:	\$0.00

— Assignment Recording Fee \$40.00:

— This application is being filed within the ___ month following the expiration of the term originally set therefor in the prior application. This is a petition to request a -month extension of time. A check covering the cost of the petition is enclosed.

X Oath or Declaration and Power of Attorney

___ New ___ signed ___ unsigned

X Copy from a prior application (37 C.F.R. 1.63(d)) (See also Preliminary Amendment below)

Deletion of Inventors

— Signed Statement attached deleting inventor(s) named in the prior application (37 C.F.R. 1.63(d)(2) and 1.33(b))

Power of Attorney or Correspondence Address Change

X Power of attorney and/or correspondence address was changed during prosecution of the prior application. The power of attorney is to **THOMAS J. KOWALSKI, REG. NO. 32,147**. The new correspondence address is indicated above.

X Incorporation by Reference (for continuation or divisional application)

The entire disclosure of the prior applications, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

SJL2326

X A Preliminary Amendment is below:

IN THE SPECIFICATION

Please amend the application as follows:

Page 1, before the first sentence, please insert:

--RELATED APPLICATIONS

This application is divisional of U.S. Patent Application Serial No. 09/521,700, filed March 9, 2000, which in turn is a Divisional of application serial no. 08/594,164, filed January 31, 1996, now U.S. Patent No. 6,090,625.--

In the blank line at page 1, line 2, please insert the following:

--FIELD OF THE INVENTION--

In the blank line at page 1, line 17, please insert the following:

--BACKGROUND OF THE INVENTION--

In the blank line at page 6, line 17, please insert the following:

--SUMMARY OF THE INVENTION--

On page 6 at the end of line 29, please delete the second occurrence of "provided a".

On page 12, line 27, after the period (".") please add --As used herein, the acronym "CFC" refers to colony forming cells.--.

On page 18, after line 5, please insert **--BRIEF DESCRIPTION OF THE FIGURES--**.

On page 38, line 21, please delete "PICTUES" and substitute therefor --PICTURES--.

On page 38, line 26, after "B cells" please insert the words --, stained with Wright's Stain,--.

On page 39, line 4, after "B cells" please insert" --, stained with Wright's Stain,--.

IN THE CLAIMS

Without prejudice, without admission, without surrender of subject matter, and without any intention of creating any estoppel as to equivalents, please cancel claims 1 to 46 and substitute therefor the following claims:

--47. A method of increasing the relative number of CD45^{low} cells in a cell population including committed hemopoietic cells comprising CD45 antigen, which method comprises:

- (i) contacting the cell population with an agent that operably engages said committed cells; and
- (ii) incubating committed cells that are engaged by said agent such that the relative number of CD45 negative cells increases as a result of said engaging.

48. The method of claim 47 wherein the agent engages a receptor that mediates capture, recognition or presentation of an antigen at the surface of the committed cells.

49. The method according to claim 47 wherein said incubating is from 2 to 24 hours.

50. The method according to claim 47 wherein the committed cells are non-cancer cells.

51. The method according to claim 47 wherein the committed cells are differentiated cells.

52. The method according to claim 47 wherein the committed cells are selected from T-cell colony-forming cells (CFC-T cells), B-cell colony-forming cells (CFC-B cells), eosinophil colony-forming cells (CFC-Eosin cells), basophil colony-forming cells (CFC-Bas cells), granulocyte/monocyte colony-forming cells (CFC-GM cells), megakaryocyte colony-forming cells (CFC-MEG cells), erythrocyte burst-forming cells (BFC-E cells), erythrocyte colony-forming cells (CFC-E cells), T cells and B cells.

53. The method according to claim 47 wherein the CD3 negative DR negative cells are Major Histocompatibility Complex (MHC) class I⁺ and/or MHC class II⁺ cells.

54. The method according to claim 53 wherein the receptor is an MHC class I antigen or an MHC class II antigen.

55. A method according to claim 54 wherein said class I antigen is a Human-Leukocyte-Associated (HLA) -A receptor, an HLA-B receptor, an HLA-C receptor, an HLA-E receptor, an HLA-F receptor or an HLA-G receptor and said class II antigen is an HLA-DM receptor, an HLA-DP receptor, an HLA-DQ receptor or an HLA-DR receptor.

56. The method according to claim 55 wherein the receptor is an HLA-DR receptor.


57. The method according to claim 56 wherein the receptor comprises a β -chain.
58. The method according to claim 57 wherein the β -chain has homologous regions.
59. The method according to claim 58 wherein the receptor comprises at least the homologous regions of the β -chain of HLA-DR.
60. The method according to claim 59 wherein the agent is an antibody to the receptor.
61. A method according to claim 60 wherein the agent is a monoclonal antibody to the receptor.
62. A method according to claim 61 wherein the antibody is selected from the group consisting of monoclonal antibody CR3/43 and monoclonal antibody TAL 1B5.
63. A method according to claim 47 wherein the agent is used in conjunction with a biological response modifier.
64. A method according to claim 63 wherein the biological response modifier is an alkylating agent.
65. A method according to claim 64 wherein the alkylating agent is or comprises cyclophosphamide. — —

— Certified copy of each foreign priority application on which the claim for priority under 35 U.S.C. 119 is based was filed in prior U.S. application serial no. 08/594,164, filed January 31, 1996. A list of said foreign priority application(s) is (are) provided below. Acknowledgement thereof is requested.

<u>Application No.</u>	<u>Filed</u>	<u>In</u>
9502022.8	FEBRUARY 2, 1995	UNITED KINGDOM

Please charge any additional fees required for the filing of this application or credit any overpayment to Deposit Account No. 50-0320.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicant(s)

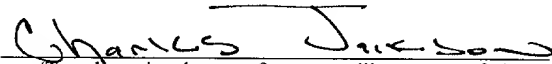
By: 
THOMAS J. KOWALSKI, ESQ., Reg. No. 32,147

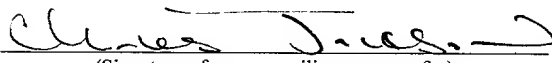
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Date of Deposit: December 20, 2000

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.


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